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On Defeat and *A Priori* Moral Warrant: Reply to Freeman

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In this short comment, I cannot address all of the items of merit in Professor Freeman's rich and insightful paper, "Defeasible *A Priori* Warrants." I will focus on one idea on which I believe I can be of use. Freeman's idea is that there are cases wherein *a priori* warrant can be strengthened when defeating considerations themselves are defeated. Freeman states the point this way:

The warrant for the extended argument ... is stronger than the warrant of the original argument just because there is one fewer way to rebut the warrant.

I believe I can help this thought on two fronts. The first is that of distinguishing two types of defeat relevant here, and the second is on identifying ways for Professor Freeman to clarify the notion of *strengthened warrant*. Let us look at Freeman cases. We will start with what I will call Freeman's *original argument*:

James borrowed John's gun

So: James should return John's gun when asked

The problem, as noted as far back as Plato's *Republic* is that though this inference has warrant, it is defeasible. If John shows emotional instability, we have a defeating argument, or as Freeman puts it, a *rebuttal*:

James borrowed John's gun

John is showing signs of emotional instability

So: James should not return John's gun when asked

Freeman now argues that the *extended argument*, with more information, eliminates the defeating premise in the defeat argument:

James borrowed John's gun

John displays no signs of emotional instability

So: James should return John's gun when asked

The extended argument, as Freeman puts it, “conjoin(s) the premise of the warrant one or more predicates expressing counter-rebuttals to recognized rebuttals to the argument.” Freeman argues, consequently, that the “expanded warrant is stronger than the original warrant ... because it cannot be defeated by the countered rebuttals.” However, Freeman holds it would be “hasty” to conclude that the “more rebuttals survived, the stronger the warrant,” but given the setup, it seems ripe for a philosophical induction that such a principle is the best explanation for this phenomenon.

Two notions should be clarified here. First, that of *defeat* and its types, and then that of *strength of warrant*. Here are my suggestions in a nutshell, and then I’ll turn to the long-form comment: there are two types of defeaters, and there are two types of defeater-defeaters, and so there are a variety of ways for defeaters to be defeated so that they can improve warrant. Strength of warrant should be conceived on one angle on the modal notion of *difficulty of defeat* – whether there are close possible worlds wherein a defeater obtains for the warrant. The closer and more numerous the worlds, the weaker the warrant, and the more distant and fewer the worlds, the stronger.

Let’s start with defeaters. A consideration is a defeater iff it is a true proposition that if added to a set of truths that originally provide warrant for an action, then the action is no longer warranted. However, the scope of the modal operator of warrant and the negation can come in two forms:

Rebutting defeat: A is required not to Φ , and

Undercutting defeat: A is not required to Φ .

In Freeman’s gun case, the defeating consideration John’s instability makes it so that James *should not* return the gun. That’s a rebutting defeater. But consider the following possibility: James only recently borrowed John’s rifle, and John’s a joker, so he regularly asks for the gun back, just to bother James. (Think of two joking hunters – John having lent James the rifle for a shot, but keeps asking for it back in the midst of James sighting up a particularly juicy buck.) Surely saying that James is *required not* to return the rifle when John asks for it is too strong – were he to give John the rifle, he’d be dopey, but not morally blameworthy. Or consider another possibility. John recently passed away and has no inheritors, so John’s broader obligation to return it is defeated. He *doesn’t have to* return it. Those are *undercutting defeaters*.

Defeaters have defeaters, too. So consider the first case – John has asked for his rifle back, and he seems agitated and unstable. But then it’s revealed that his home has been set upon by wild pigs – they are eating up his flowers and threatening his family. Yes, he’s upset, and normally you don’t give guns to upset folks, but John’s gotta deal with these pigs *right now*. And so, the warrant, once rebutted, returns.

And the same may go for the undercutting defeat case. So with John dying without inheritors, perhaps the rifle is nevertheless to be picked up by a local museum, or maybe James made a promise to return it to John’s house regardless of whether he’s alive or dead. Either way, we go back from him not having to return the rifle to having to return it. Defeat has many levels,

and it's worth attending to, first, the *type* of defeat on offer, and second, the ways the defeaters themselves bring back warrant.

My second recommendation is to identify what exactly the strength of a moral warrant is. Freeman's thought is that there is a connection between eliminating defeaters for a warrant and strengthening the warrant. Notice that because defeaters come in two types, so do forms of elimination of defeat. Defeater-defeaters can merely re-establish the original reasons as the salient reasons:

X is a *reasons-re-establishing defeater defeater* for defeater D iff D is a defeater for A's reasons R to Φ and adding X to A's reason-set makes it so that A's reasons to those in R

In this case, let it be so that, as Freeman has it, James has a reason (R) to return John's gun to him (Φ) because he borrowed it (R); and were John unstable (D), James should not return the gun, but (X) John is not unstable. Reason set R is, again, the salient reason-set. But deater-defeat can also enhance the original warrant by adding new reasons:

X is a *reasons-enhancing defeater defeater* for defeater D iff D is a defeater for A's reasons R to Φ and X to A's reasons to Φ makes it so that A has *new reasons* to Φ , in addition to those in R

So, let's return to the pig-invasion case. Not only is the reason not to give the rifle back to James defeated (in that we have reason to take it that he's justifiably upset), but we have *new reasons* to give him the rifle back – he's gotta deal with the pigs! So, with this reason-enhancing defeater defeater, we add to the reasons to perform the target action.

I believe it is not a difficulty to see why reasons-enhancing defeater defeaters improve warrant – we get more warrant, because we have more warrant-conferring reasons. No mystery there. The question is why reason-re-establishing defeater defeaters can improve warrant, too. Here is a guess: because the warrant is more *modally durable* – we show that the possibilities of excusing conditions are eliminated, and so we are more warranted because the warrant is *safer* that A ought to Φ . A subject's beliefs are *safe* iff the subject could not easily have falsely believed P. In this case, instead of the *belief* being safe, *the obligation to Φ* is safe.

These are my two, what I hope, are *helpful riders* to Professor Freeman's paper, and I hope that they will be useful in the continued development of this important program.